

AMENDED IN SENATE JUNE 20, 2013

AMENDED IN ASSEMBLY MARCH 18, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 37

Introduced by Assembly Member Perea

December 3, 2012

An act to amend, repeal, and add Section 21167.6 of, and to add and repeal Section 21167.6.2 of, the Public Resources Code, relating to environmental quality *add Section 10544.5 to the Water Code, relating to water resources.*

LEGISLATIVE COUNSEL'S DIGEST

AB 37, as amended, Perea. ~~Environmental quality: California Environmental Quality Act: record of proceedings.~~ *Integrated regional water management plans: funding: disadvantaged communities.*

Existing law, the Integrated Regional Water Management Planning Act of 2002, authorizes a regional water management group, as defined, to prepare and adopt an integrated regional water management plan. The act requires an integrated regional water management plan to address specified water quality and supply matters.

Existing law, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative bond act approved by the voters as Proposition 84 at the November 7, 2006, statewide general election, authorized the issuance of bonds in the amount of \$5,388,000,000 for the purposes of financing a safe drinking water, water quality and supply, flood control, and resource protection program. Existing law, with regard to these bond funds, appropriates \$181,791,000 to the State Department of Public

Health for integrated regional water management activities, and requires, for certain of those funds, that the department allocate not less than 10% to facilitate and support the participation of disadvantaged communities in integrated regional water management planning and for projects that address critical water supply or water quality needs for disadvantaged communities.

This bill would require in each integrated regional water management region that not less than 10% of any funding for integrated regional water management planning purposes be used to facilitate and support the participation of disadvantaged communities in integrated regional water management planning and for projects that address critical water supply or water quality needs for disadvantaged communities.

~~(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure for the preparation and certification of the record of proceedings upon the filing of an action or proceeding challenging a lead agency's action on the grounds of noncompliance with CEQA.~~

~~This bill would require, until January 1, 2017, for specified projects or upon the request of a project applicant and the consent of the lead agency, that the lead agency among other things, prepare a record of proceedings concurrently with the preparation of negative declarations, mitigated negative declarations, EIRs, or other environmental documents for specified projects. Because the bill would require, for specified projects, a lead agency to prepare the record of proceedings as provided, this bill would impose a state-mandated local program.~~

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.
State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 10544.5 is added to the Water Code, to*
2 *read:*

3 *10544.5. In each integrated regional water management region,*
4 *not less than 10 percent of any funding for the purposes of this*
5 *part shall be used to facilitate and support the participation of*
6 *disadvantaged communities in integrated regional water*
7 *management planning and for projects that address critical water*
8 *supply or water quality needs for disadvantaged communities.*

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11 **All matter omitted in this version of the bill**
12 **appears in the bill as amended in the**
13 **Assembly, March 18, 2013. (JR11)**
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